

I. SUMMARY OF THE REJECTIONS/OBJECTIONS

Claims 2-7, 9-14, 16 and 18-25 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Glassner's Notebook, "Aperiodic Tiling," *IEEE Computer Graphics and Applications*, May/June 1998, pages 83-90 ("Glassner"). The rejections are respectfully traversed.

II. RESPONSE TO REJECTIONS BASED ON THE PRIOR ART

A rejection under 35 U.S.C. § 102(e), as that section read prior to the changes made by the American Inventors Protection Act of 1999, requires that "the invention was described in a **patent** granted on an application for patent by another files in the United States before the invention thereof by the applicant for patent" (emphasis added). However, Glassner is not a patent. Therefore, Glassner cannot be used to reject Claims 2-7, 9-14, 16, and 18-25 under 35 U.S.C. § 102(e).

Therefore, based on at least the reasons stated above, it is respectfully submitted that Claims 2-7, 9-14, 16, and 18-25 are allowable over the art of record and are in condition for allowance.

III. CONCLUSION

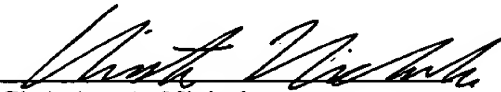
For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is
hereby made. Please charge any fee shortages or credit any overages Deposit Account
No. 50-1302.

Respectfully submitted,
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231

on 1/13/03 by Trudy Bagdon